

Pilot portfolio is performing very well, at about one-half the rate of liquidation and one-quarter the rate of loan purchase compared to all other 7(a) loans of \$150,000 or less. In addition, the demand for GO Loans has continued during FY2011 in response to the ongoing need to rebuild the Gulf Coast areas devastated by Hurricanes Katrina and Rita and the setback in these efforts caused by the several natural disasters that affected the region this year. The approximate number of GO Loans is only slightly less than the number of loans approved in FY 2010 at approximately 520 loans.

Thus, the Agency believes it is appropriate to extend this unique and vital program through December 31, 2013, with no further extensions after that. In the interim, the Agency will determine whether a program should be developed that provides for disaster recovery financial assistance under SBA's 7(a) Business Loan Program that could be applied to any region that meets a predetermined set of criteria. Accordingly, the SBA is also extending its waiver of the Agency regulations identified in the **Federal Register** notice at 70 FR 69645 with the exception noted above through December 31, 2013 only.

SBA's waiver of these regulations is authorized by 13 CFR 120.3. These waivers apply only to those loans approved under the GO Loan Pilot, which expires December 31, 2013. As part of the GO Loan Pilot, these waivers apply only to those small businesses located in, locating to, or relocating in the parishes/counties that have been Presidentially-declared as disaster areas resulting from Hurricanes Katrina or Rita, plus any contiguous parishes/counties. A list of all eligible parishes/counties will be included in an SBA procedural notice that will announce the extension of the GO Loan Pilot.

**Authority:** 15 U.S.C. 636(a)(24); 13 CFR 120.3.

Dated: September 26, 2011.

**Steven J. Smits,**

*Associate Administrator, Office of Capital Access.*

[FR Doc. 2011-25186 Filed 9-29-11; 8:45 am]

**BILLING CODE 8025-01-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Approval of Noise Compatibility Program; Kissimmee Gateway Airport, Kissimmee, FL

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its findings on the Noise Compatibility Program Update (NCP) submitted by the City of Kissimmee under the provisions of 49 U.S.C. (the Aviation Safety and Noise Abatement Act, hereinafter referred to as "the Act") and 14 CFR part 150. These findings are made in recognition of the description of Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On December 11, 2009, the FAA determined that the Noise Exposure Maps submitted by the City of Kissimmee under Part 150 were in compliance with applicable requirements. On September 23, 2011, the FAA approved the Kissimmee Gateway Airport Noise Compatibility Program Update. Some of the recommendations of the Program were approved.

**DATES:** *Effective Date:* The effective date of the FAA's approval of the Kissimmee Gateway Airport Noise Compatibility Program Update is September 23, 2011.

**FOR FURTHER INFORMATION CONTACT:** Allan M. Nagy, Federal Aviation Administration, Orlando Airports District Office, 5950 Hazelton National Drive, Suite 400, Orlando, Florida 32822, *phone number:* 407-812-6331. Documents reflecting this FAA action may be reviewed at this same location.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA has given its overall approval to the Noise Compatibility Program Update for Kissimmee Gateway Airport, effective September 23, 2011.

Under Section 47504 of the Act, an airport operator who has previously submitted a Noise Exposure Map may submit to the FAA a Noise Compatibility Program which sets forth the measures taken or proposed by the airport operator for the reduction of existing non-compatible land uses and prevention of additional non-compatible land uses within the area covered by the Noise Exposure Maps. The Act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Title 14 Code of Federal Regulations (CFR) part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport operator with respect to which measure should be recommended for action. The FAA's approval or

disapproval of 14 CFR part 150 program recommendations is measured according to the standards expressed in 14 CFR part 150 and the Act, and is limited to the following determinations:

a. The Noise Compatibility Program was developed in accordance with the provisions and procedures of 14 CFR part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing non-compatible land uses around the airport and preventing the introduction of additional non-compatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport Noise Compatibility Program are delineated in 14 CFR part 150, Section 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where Federal funding is sought, requests for project grants must be submitted to the appropriate FAA Airports District Office.

The City of Kissimmee submitted to the FAA on November 16, 2009, the Noise Exposure Maps, descriptions, and other documentation produced during the noise compatibility planning study conducted from September 19, 2008, through September 23, 2011. The Kissimmee Gateway Airport Noise Exposure Maps were determined by FAA to be in compliance with applicable requirements on December 11, 2009. Notice of this determination

was published in the **Federal Register** on December 29, 2009.

The Kissimmee Gateway Airport study contains a proposed Noise Compatibility Program Update comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from September 23, 2011 to the year 2014. It was requested that FAA evaluate and approve this material as a Noise Compatibility Program as described in Section 47504 of the Act. The FAA began its review of the Program on April 1, 2011, and was required by a provision of the Act to approve or disapprove the Program within 180-days (other than the use of new or modified flight procedures for noise control). Failure to approve or disapprove such Program within the 180-day period shall be deemed to be an approval of such Program.

The submitted Program contained a total of nineteen (19) elements, four (4) of which were FAA and/or airport operator actionable measures for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and 14 CFR part 150 have been satisfied. The overall Program, therefore, was approved by the FAA effective September 23, 2011.

Outright approval was granted for two (2) of the specific program elements. In addition, two (2) of the program elements were disapproved by the FAA. Operational Measure #2 was disapproved for purposes of part 150 because it did not provide any quantifiable reduction in noise impacts to non-compatible land uses. Land Use Measure #16 was disapproved for purposes of part 150 because the local municipal jurisdictions have not yet adopted a lower local standard which defines incompatible land uses below DNL 65 dBA. The other fifteen (15) program elements were elements from the original Noise Compatibility Program completed by the City of Kissimmee and approved by the FAA in 1994, which were requested to be rescinded by the airport operator in the current Program. At the airport operators request, the FAA has withdrawn its 1994 approval of these 15 elements in accordance with 14 CFR part 150.35(d)(5).

These determinations are set forth in detail in a Record of Approval signed by the FAA on September 23, 2011. The Record of Approval, as well as other evaluation materials and the documents comprising the submittal, are available for review at the FAA office listed above and at the administrative office of the

City of Kissimmee. The Record of Approval also will be available on-line at: [http://www.faa.gov/airports\\_airtraffic/airports/environmental/airport\\_noise/part\\_150/states/](http://www.faa.gov/airports_airtraffic/airports/environmental/airport_noise/part_150/states/).

Issued in Orlando, Florida on September 23, 2011.

**W. Dean Stringer,**

*Manager, Orlando Airports District Office.*

[FR Doc. 2011-25155 Filed 9-29-11; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Noise Exposure Map Update for Buffalo Niagara International Airport, Buffalo, NY

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the updated noise exposure maps submitted by the Niagara Frontier Transportation Authority (NFTA), for Buffalo Niagara International Airport, under the provisions of 49 U.S.C. 47501 *et seq.* (Aviation Safety and Noise Abatement Act) and 14 CFR Part 150 are in compliance with applicable requirements.

**DATES:** *Effective Date:* The effective date of the FAA's determination on the noise exposure maps is September 20, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ms. Suki Gill, Environmental Protection Specialist, Federal Aviation Administration, New York Airports District Office, 600 Old Country Road, Suite 446, Garden City, NY 11530, Telephone (516) 227-3815.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the updated noise exposure maps submitted for Buffalo Niagara International Airport are in compliance with applicable requirements of 14 Code of Federal Regulations (CFR) part 150 (hereinafter referred to as "part 150"), effective September 20, 2011. Under 49 U.S.C. section 47503 of the Aviation Safety and Noise Abatement Act (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The

Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport. An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of part 150, promulgated pursuant to the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes to take to reduce existing non-compatible uses and prevent the introduction of additional non-compatible uses.

The FAA has completed its review of the noise exposure maps and accompanying documentation submitted by the NFTA. The documentation that constitutes the "Noise Exposure Maps" as defined in section 150.7 of part 150 includes: Figure 6 "2008 Noise Exposure Map with Land Use" and Figure 9 "2013 Noise Exposure Map & Affected Land Uses." The FAA has determined that these noise exposure maps and accompanying documentation are in compliance with applicable requirements. This determination is effective on September 20, 2011.

FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program. If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 47503 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 47506 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map depicting properties on the surface rests exclusively with the airport operator that submitted those maps, or with